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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,433	11/28/2003	Yasumasa Harihara	P04549US	7370
21254	7590	01/26/2005	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			HO, TAN	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/722,433	HARIHARA, YASUMASA	
	Examiner Tan Ho	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 3-6 is/are allowed.
- 6) Claim(s) 1,2,7-9 and 11-13 is/are rejected.
- 7) Claim(s) 10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/17/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Objections***

1. Claims 1 and 9 are objected to because of the following informalities: In claim 1, line 4, "a plurality of layers" should be changed to --the plurality of layers-- if they are the plurality of layers defined in line 2; In claim 1, line 9, "a plurality of pattern antennas" should be changed to --the plurality of pattern antennas-- if they are the plurality of layers defined in line 2. In claim 5, line 7, an "a" between "said" and "plurality of" should be deleted. In claim 9, line 2, "other than thst" should be --other than that--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiroki et al (US Patent 6,583,769).

Shiroki et al disclose, in Figures 4 and 5, a chip antenna for a portable telephone comprising a dielectric base member 11, figure 5, which includes a plurality of layers (15,16,17,18), a plurality of pattern antennas (45a-45k) formed on the plurality of

layers, and a feeding terminal (22) formed on a surface of the base member and connected to the pattern antennas.

4. Claims 7, 8, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Park (US Patent 6,683,573).

Park discloses, in figure 2(a), a chip antenna for a mobile communication apparatus comprising a dielectric base member 11, a pattern antenna 12 which is formed on the base member and includes a first area having a rectangular shape (the central area) and a second area elongating continuously from the first area, a slit formed between the first and second areas of the pattern antenna, and a feeding terminal 15 formed on a surface of the base member and connected to the pattern antenna.

5. Claims 1, 9, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Hilgers (US Patent 6,680,700).

Hilgers discloses, in figure 1, a chip antenna for a mobile communication device comprising a dielectric base member 10, a pattern antenna which is formed on the base member and includes a first area 32 having a rectangular shape, a second area 31 elongating continuously from the first area, and another pattern antenna (23,22,21) having a shape other than that of the pattern antenna, and a feed terminal 12 formed on a surface of the base member and connected to the pattern antenna.

***Allowable Subject Matter***

6. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 3-6 are allowed.

Claims 3 and 6 recite a fixed terminal which is formed on a surface of the base member and connected to the pattern antenna, a fixing portion which is composed of a conductor and formed on the mounting substrate and which is connected to the fixed terminal and thereby fixes the base member on the mounting substrate.

The patents to Shiroki et al, Park, and Hilgers do not teach these limitations.

8. The patents to Yeh and Mandai et al are cited as of interest showing the antenna similar to that disclosed.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Ho whose telephone number is (571) 272-1822. The examiner can normally be reached on M-F (8:00AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Tan Ho*  
TAN HO  
PRIMARY EXAMINER